



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,586	03/02/2004	Jason T. Cobb	MSI-1865US	3459
22801	7590	08/08/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LEWIS, CHERYL RENE A	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/791,586	Applicant(s) COBB ET AL.	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/18/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-38 are presented for examination.

### INFORMATION DISCLOSURE STATEMENT

2. The information disclosure statements filed on March 18, 2004, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Orleth et al. (Publication No.: US 2004/0215754 A1 filed March 31, 2003, hereinafter Orleth).
5. Regarding Claims 1, 17, and 31, Orleth teaches a peripheral device driver maintenance scheme for networked peripheral device clients. The method and associated system for a peripheral device driver maintenance scheme for networked peripheral device clients as taught or suggested by Orleth includes:

receiving a driver package (paragraphs 0014, 0020, and 0023-0026); generating a strong name (figure 3, element 300 'DRIVER PACKAGE STORE – with complete packages distinguished by a unique identifier name (e.g., packageGUID+version)', paragraph 0048) for the driver package; and assigning a storage location for driver files (figure 4a, element 420, figure 5a, element 502, paragraphs 0049, 0075, and 0077) associated with the driver package based on the strong name (paragraph 0048).

6. Regarding Claims 2, 18, 26, and 32, Orleth teaches the driver files include a driver image file (figure 4a, element 420), and loading the driver image file (figure 5a, element 502) from the storage location into a memory (figure 1, element 130).

7. Regarding Claims 3 and 11, Orleth teaches the driver files include at least one of a driver image file and a service name (figure 3, element 300 'DRIVER PACKAGE STORE – with complete packages distinguished by a unique identifier name (e.g., packageGUID+version)', paragraph 0048).

8. Regarding Claims 4, 12, 19, and 33, Orleth teaches generating the strong name for the driver package includes hashing at least one of the driver files associated with the driver package (paragraph 0048).

9. Regarding Claim 5, Orleth teaches at least one driver file includes a driver catalog file (paragraph 0048).

10. Regarding Claim 6, Orleth teaches the driver package includes concatenating the hash of the driver file to at least one of a driver catalog file and a public key from the driver package (paragraph 0048).

Art Unit: 2167

11. Regarding Claim 7, Orleth teaches a storage location to driver files from the driver package with the strong name includes assigning at least one driver file associated with the driver package to a subdirectory in a directory store (paragraphs 0042-0048 and 0072).

12. Regarding Claim 8, Orleth teaches a storage location to data from the driver package in accordance with the strong name includes assigning service name parameters to a service name database.

13. Regarding Claim 9, Orleth teaches generating a unique identity for respective driver packages to which commonly driver files correspond (figure 3, element 300 'DRIVER PACKAGE STORE – with complete packages distinguished by a unique identifier name (e.g., packageGUID+version)', paragraph 0048-0072); and assigning driver files associated with the individual driver packages to subdirectories (figure 5a, element 502) in a common storage based on the unique identity (paragraphs 0048-0072).

14. Regarding Claim 10, Orleth teaches the driver files include a driver (paragraph 0080), and loading the driver from one of the subdirectories into a memory (figure 5a, element 502).

15. Regarding Claims 13-15, 20-23, 27-30, and 34-37, the limitations of these claims have been noted in the rejections of claims 1-12 presented above. They are therefore rejected as set forth above.

16. Regarding Claim 16, Orleth teaches driver packages to a service name database includes a service key and an image path corresponding to the driver files.

Art Unit: 2167

17. Regarding Claim 24, Orleth teaches an installer to generate a strong name for a driver package (paragraphs 0014, 0020, and 0023-0026, figure 3, element 300 'DRIVER PACKAGE STORE – with complete packages distinguished by a unique identifier name (e.g., packageGUID+version)', paragraph 0048); and a storage to install files associated with the driver package based on the strong name (figure 4a, element 420, figure 5a, element 502, paragraphs 0049, 0075, and 0077).

18. Regarding Claim 25, the limitations of this claim has been noted in the rejection of claim 10 presented above. It is therefore rejected as set forth above.

#### **NAME OF CONTACT**

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is stylized with a large initial "C" and a long, sweeping underline.

Cheryl Lewis  
Patent Examiner  
August 7, 2006